

# ASSEMBLY TELECOMMUNICATIONS AND UTILITIES COMMITTEE

## STATEMENT TO ASSEMBLY, No. 5136

with committee amendments

# STATE OF NEW JERSEY

DATED: OCTOBER 5, 2026

The Assembly Telecommunications and Utilities Committee reports favorably and with committee amendments Assembly Bill No. 5136.

As amended and reported, this bill requires the developer of any new residential construction that falls under Occupancy Group R-2 within the Building Subcode under the State Uniform Construction Code, for which an application for a construction permit has not been declared complete by the enforcing agency before the bill's effective date, to install a continuous raceway, drag line, and end cap from the building's designated communications utility room or telecommunications entrance facility to the nearest existing communications distribution point capable of providing broadband service to the property.

In addition, the bill permits the developer of any new residential construction to enter into an agreement with another party, including, but not limited to, a telecommunications utility, to lease or purchase an easement to use a preexisting raceway to meet the bill's requirements. However, the bill provides that the agreement is not to grant exclusive control that would limit access by at least two broadband service providers in a non-discriminatory manner.

Finally, the bill directs the Commissioner of Community Affairs to adopt rules and regulations as necessary to establish standards for the design, installation, and adequacy of raceways for new residential construction, including minimum sizing and access requirements sufficient to support multiple broadband service providers.

### COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) define "communications distribution point";
- (2) revise the definition of "raceway";
- (3) shift responsibility for installing the raceway from the majority incumbent local exchange carrier within the area to the developer of the new residential construction requiring raceway installation;

(4) clarify that the bill applies to new residential construction that falls under Occupancy Group R-2 within the Building Subcode under the State Uniform Construction Code;

(5) require the developer of the new residential construction to install a drag line and end caps when installing raceways under the bill from the building's designated communications utility room or telecommunications entrance facility to the nearest existing communications distribution point capable of providing broadband service to the property;

(6) clarify that raceways are to be solely dedicated for the use of broadband service providers on a nondiscriminatory basis;

(7) revise the bill's title and synopsis; and

(8) make technical changes.